

RULE I

CIVIL SERVICE COMMISSION

PART I - CIVIL SERVICE COMMISSION

SECTION 1.1.1 DUTIES AND POWERS OF THE CIVIL SERVICE COMMISSION

The duties and powers of the Commission shall be those prescribed by law and these rules.

General duties of the Commission, as prescribed in the County Charter, are to:

- (a) Protect the merit basis of the personnel system through its appellate authority, investigative powers, review and approval of the Civil Service Rules, and contract approval.
- (b) Be the administrative appeals body for the County in personnel matters authorized by the County Charter. Said appellate authority includes appeals from actions involving:
 - (1) discipline of classified employees with permanent status;
 - (2) the selection process;
 - (3) complaints of discrimination in personnel matters based on non-job-related factors;
 - (4) charges filed by a citizen against a person in the classified service, in accordance with the Civil Service Rules;
 - (5) such other matters as are provided for in the Civil Service Rules.
- (c) Review proposed Rules and approve Rules for the Classified and Executive Services pursuant to Section 910 of the County Charter.
- (d) Establish written procedures to govern the conduct of the Commission's duties.
- (e) Advise the Director, the Chief Administrative Officer, and the Board on matters concerning personnel policies and the administration of the personnel system. (Amended 8-20-96)
- (f) Appoint one of its members a hearing officer, or board to hear appeals and submit findings and a proposed decision to the Commission for its review and action.
- (g) Appoint an Executive Officer who shall be in the Unclassified Service and such other staff as necessary and authorized by the Board in the Classified Service. (Amended 11-24-81)

The Charter gives the Commission the power to:

- (a) Investigate, either as a group or as individuals, the conduct and operations of all departments;
- (b) Administer oaths;
- (c) Subpoena witnesses and materials;
- (d) Make any necessary orders, in conjunction with any investigation, including but not limited to, back pay and classification adjustments, to carry out the provisions of the Charter and the Civil Service Rules.
- (e) Take legal action, as provided by general law for Boards of Supervisors. Individuals failing to comply with its subpoena or refusing to testify, shall be considered in contempt. (Amended 11-24-81)
- (f) Upon appeal, to affirm, revoke, or modify any disciplinary order, including increasing or decreasing the discipline imposed, and may make any appropriate orders in connection with appeals under its jurisdiction. The Commission's decisions shall be final, and shall be followed by the County unless overturned by the courts on appeals.

SECTION 1.1.2 ORGANIZATION OF THE COMMISSION

The Civil Service Commission consists of five persons appointed by the Board. Each Commissioner shall be an elector of the County.

Each Commissioner serves a six-year term beginning and ending at noon on the first Monday after January first and continues to serve until the appointment and qualification of a successor. No more than one Commissioner's term may expire in the same year. A Commissioner is limited to one full six-year term.

A Commissioner may be removed by a majority vote of the Board if the Board serves the Commissioner a written statement containing the reasons for removal, records the statement in its minutes, and allows the Commissioner the opportunity to be heard publicly.

A vacancy on the Commission shall be filled within 45 days of its occurrence by the Board for the unexpired term.

SECTION 1.1.3 OFFICERS OF THE COMMISSION

At the first meeting in January of each year, the Commission shall elect one member to act as President and one member to act as Vice President. Terms shall be for one year each, or until a successor or successors are elected to fill an unexpired term at the next regular meeting of the Commission. Officers shall not be elected to replace themselves.

SECTION 1.1.4 ABSENCE OF PRESIDENT AND VICE PRESIDENT

During the absence of the President and Vice President, a temporary chairperson may be elected to have all the powers of the President.

SECTION 1.1.5 QUORUM

Three Commission members shall comprise a quorum to transact business at any meeting.

SECTION 1.1.6 MINUTES OF MEETING

The minutes of the proceedings of the Commission shall be prepared and maintained by the Executive Officer on behalf of, and subject to the approval of the Commission. The following shall be recorded in the minutes: (a) the time and place of the meeting, (b) the names of the Commissioners present, (c) all official acts of the Commission, and the votes given by Commissioners, except when the action is unanimous, (d) a Commissioner's dissent with supporting reasons, when requested.

The minutes, or a true copy thereof, may be examined by interested parties at times and conditions prescribed by the Executive Officer.

SECTION 1.1.7 COMMUNICATIONS

Communications and requests to the Commission shall be made in writing and the substance of such request and the action taken by the Commission recorded in the minutes.

SECTION 1.1.8 MEETINGS OF THE COMMISSION

The Commission may convene the following types of meetings:

- (a) Regular Meetings
- (b) Special Meetings

All meetings of the Commission shall be open to the public.

SECTION 1.1.9 PLACE OF MEETING

The place of the regular meetings shall be in Room 358 at 1600 Pacific Highway, San Diego.

SECTION 1.1.10 REGULAR MEETINGS

Regular meetings of the Commission shall be held at 1:30 p.m., on the first and third Wednesday of every month. If the Wednesday is a holiday, the Commission meeting will be held the following day. Immediately on commencement of the regular meeting at 1:30 p.m., the Commission shall hold an executive session to discuss security, personnel and legal matters as specified in the Ralph M. Brown Act.

In the event that there are no matters requiring a closed session, the meeting will be adjourned by the Commission, any member or members of the Commission, or the Executive Officer until 2:30 p.m. At 2:30 p.m., or as soon thereafter as the consideration of the matters permit, the Commission will convene in public session. (Amended 11-24-81)

SECTION 1.1.11 SPECIAL MEETINGS

Special meetings may be called by the President, or a majority of the Commissioners, upon giving the 24-hour advance notice required by the Ralph M. Brown Act, unless such notice may be dispensed with or is waived in the manner required by law.

SECTION 1.1.12 RULES OF ORDER

Robert's Rules of Order, except as otherwise provided herein, shall guide the Commission in its proceedings.

SECTION 1.1.13 SUSPENSION OF RULES OF ORDER

The Rules of Order may be suspended at any meetings upon the unanimous approval of the Commission members present.

SECTION 1.1.14 AMENDMENTS

The Commission shall review proposed rules and amendments as submitted by its Executive Officer, the Director, the Chief Administrative Officer or the Board of Supervisors and, after public hearing, may make any modifications it deems appropriate, and shall transmit the rules and amendments to the Board. All proposed rule changes shall be submitted to the Commission via the Executive Officer. The Commission shall act on such proposals within 30 days after their submittal. The Board may adopt or reject, but may not modify the Rules and amendments following review by the Commission. The Board shall act on such rules and amendments within 30 days after their submittal. (Amended 8-20-96)

SECTION 1.1.15 REGULATIONS

The Director shall adopt regulations and procedures for administration of these Rules. A copy shall be furnished to each department.

PART 2 - PERSONNEL ORGANIZATION

(REPEALED)